IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.214 OF 2000

Avinash Narayan Patil. ...Petitioner.

Versus

The State of Maharashtra. ...Respondent.

....

Mr.K.S.Patil, Advocate for the Petitioner.
Mr.V.B.Konde-Deshmukh, APP, for the State.

....

ALONG WITH

CRIMINAL APPLICATION NO.173 OF 2007
IN
CRIMINAL REVISION APPLICATION NO.214 OF 2000

1.Asha Tulshiram Mhatre, &
2.Avinash Narayan Patil. ...Applicants.

Versus

The State of Maharashtra. ...Respondent.

....

Mr.K.S.Patil, Advocate for the Applicants.
Mr.V.B.Konde-Deshmukh, APP, for the State.

....

CORAM : SMT.V.K.TAHILRAMANI,J.
DATED : 27th June, 2007.

P.C.:

1. Heard the learned Advocate for the petitioner-orig.accused and the learned APP for the State. Prosecutrix - Asha Tulshiram Mhatre is present in person.

2. Rule. By consent of parties, rule is made returnable forthwith and disposed of finally.

3. The prosecutrix has preferred Criminal Application No.173 of 2007 in the present Revision Application stating therein that during pendency of the present Revision preferred by the petitioner-orig.accused Avinash, the prosecutrix and petitioner- Avinash have arrived at a settlement and that both of them are getting married. Hence, she has prayed that the case against the petitioner be compounded and/or quashed.

4. By judgment and order dated 17th February, 1998 the petitioner - Avinash came to be prosecuted under Section 376, 354 of IPC. The petitioner came to be acquitted under Section 376 and convicted under Section 354 of IPC and sentenced to suffer RI for two years and to pay fine of Rs.1000/-. The Appeal preferred by the petitioner came to be dismissed. Hence, he preferred the present Revision before this Court.

5. As stated earlier during pendency of this

Revision the prosecutrix - Asha Mhatre and the petitioner - Avinash Patil have arrived at settlement and now the prosecutrix and the present petitioner have decided to get married.

6. In view of the above facts and in view of the decision of the Division Bench of this Court in the case of **Kiran Tulshiram Ingale Vs. Anupama P. Gaikwad; 2006(6) A.I.R. Bom. R. 97 (DB)** and the decision of the Single Judge of this Court in the case of **Gambhir Rajan Choudhary and others Vs. Nirmala w/o. Bhaskar Choudhary, 2005(2) Mah. Law Journal page 36**, the prosecution in respect of the petitioner - Avinash is quashed.

7. Rule is made absolute accordingly. Both Criminal Revision Application and Criminal Application No.173 of 2007 are disposed of.

(SMT.V.K.TAHILRAMANI,J.)